

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOHN SMITH,</b>	:	<b>CIVIL ACTION NO. 1:21-CV-1704</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>LT. JAMES HENDRICK, et al.,</b>	:	
	:	
<b>Defendants</b>	:	
	:	

**ORDER**

AND NOW, this 10th day of November, 2022, upon consideration of defendants' motion (Doc. 25) to dismiss and the parties' respective briefs in support of and opposition to said motion, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. The motion (Doc. 25) to dismiss is GRANTED in part and DENIED in part.
2. The motion is DENIED with respect to plaintiff's First Amendment retaliation claim and Eighth Amendment claim for deliberate indifference to a risk of assault by other inmates.
3. All other claims raised in the amended complaint are DISMISSED with prejudice.
4. Defendants shall answer the amended complaint in accordance with the Federal Rules of Civil Procedure.
5. The pre-trial schedule in the above-captioned case shall be as follows:
  - a. Requests for the joinder of parties or amendment of pleadings shall be filed by April 30, 2023.
  - b. Discovery shall be completed on or before May 31, 2023. In accordance with Local Rule of Court 5.4(b), the parties shall refrain from filing discovery requests with the court.

- c. Dispositive motions shall be filed on or before July 31, 2023.
- 6. Any motions or briefs filed after the expiration of the applicable deadline without prior leave of court shall be stricken from the record.
- 7. No extensions of the pre-trial schedule shall be granted absent good cause. See Fed. R. Civ. P. 16(b).

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner  
United States District Judge  
Middle District of Pennsylvania